

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

ROBERT SMITH,  
Plaintiff,

v.

JAMES MORSE,  
In his official capacity as  
Commissioner of the Vermont  
Department For Children and  
Families,  
Defendant.

CIVIL ACTION NO. *2:05-cv-78*

MOTION FOR

PRELIMINARY INJUNCTION

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED  
2005 MAR 29 A 8:53  
CLERK  
BY *[Signature]*  
DEPUTY CLERK

Plaintiffs, through undersigned counsel, move this Court, pursuant to F.R.C.P.

65(a) for a preliminary injunction, enjoining Defendants from:

1. applying Defendant's unwritten policy of treating all loans as transfers for less than fair market value;
2. applying Defendant's unwritten policy of treating loans made by clients of Tapper Law Offices as transfers for less than fair market value;
3. assessing a transfer penalty against Plaintiff's transfer of funds from his revocable trust to his personal checking account;
4. assessing a transfer penalty against Plaintiff for fair market value loans he made to his sons.

Plaintiff seeks a hearing on this motion at the Court's earliest opportunity.

Dated at Springfield, Vermont this 28th day of March, 2005.

A handwritten signature in black ink, appearing to read 'M L Tapper', written over a horizontal line.

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